

20911. Adulteration of waffle flour. U. S. v. 41 Cases * * *. (F. D. C. No. 35910. Sample No. 70766-L.)

LIBEL FILED: October 6, 1953, Southern District of Ohio.

ALLEGED SHIPMENT: On or about October 10, 1951, from Warsaw, Ind.

PRODUCT: 41 cases, each containing 10 5-pound bags, of waffle flour at Cincinnati, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta and insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 6, 1953. Default decree of condemnation and destruction.

20912. Adulteration of malt flour. U. S. v. 165 Bags * * *. (F. D. C. No. 35945. Sample No. 69691-L.)

LIBEL FILED: November 6, 1953, District of Colorado.

ALLEGED SHIPMENT: On or about June 15, 1953, from Minneapolis, Minn.

PRODUCT: 165 100-pound bags of malt flour at Golden, Colo., in possession of the Adolph Coors Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 24, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

MACARONI AND NOODLE PRODUCTS

20913. Misbranding of egg noodles and enriched egg noodles. U. S. v. Aunt Sarah's Food Products (J. Coffaro & Sons), Charles C. Coffaro, Philip J. Coffaro, and John B. Galioto (Galioto Bros. Co.). Pleas of guilty. Fine of \$250 against each defendant. (F. D. C. No. 35733. Sample Nos. 54238-L 54239-L, 58847-L, 58850-L, 58853-L, 70912-L.)

INFORMATION FILED: December 3, 1953, Northern District of Illinois, against Aunt Sarah's Food Products, a corporation, trading as J. Coffaro & Sons, Chicago, Ill., against Charles C. Coffaro, president, and Philip J. Coffaro, secretary-treasurer, of the corporation, and against John B. Galioto, trading as Galioto Bros. Co., Chicago, Ill.

ALLEGED SHIPMENT: On or about December 15, 1952, and January 7 and 27 and February 2 and 4, 1953, from the State of Illinois into the States of Michigan and Indiana.

LABEL, IN PART: (Bag) "Aunt Sarah's Pure Egg Noodles," "Kluski Simon's Brand * * * Pure Egg Noodles," and "Defiance Brand Kluski Egg Noodles."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the articles failed to conform to the definitions and standards of identity for egg noodles and en-

riched egg noodles since the total solids of the articles contained less than 5.5 percent by weight of the solids of egg or egg yolk, the minimum permitted by the definitions and standards.

Further misbranding, Section 403 (g) (1), the enriched egg noodles failed also to conform to the definition and standard of identity for enriched egg noodles since the article contained in each pound less than 4 milligrams of thiamine, less than 1.7 milligrams of riboflavin, less than 27 milligrams of niacin or niacinamide, and less than 13 milligrams of iron.

DISPOSITION: January 7, 1954. The defendants having entered pleas of guilty, the court fined each of the four defendants \$250, plus costs.

20914. Adulteration and misbranding of egg noodles. U. S. v. 518 Cases, etc.
(F. D. C. No. 35475. Sample Nos. 20439-L to 20443-L, incl.)

LIBEL FILED: September 10, 1953, District of Nebraska.

ALLEGED SHIPMENT: On or about August 14, 1953, by the Quality Macaroni Co., from St. Paul, Minn.

PRODUCT: 518 cases, each containing 12 1-pound bags, and 199 cases, each containing 24 8-ounce bags, of egg noodles at Omaha, Nebr.

LABEL, IN PART: (Bag) "Quality Brand Fancy Egg Noodles."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, egg, had been in whole or in part omitted from the article.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for noodles since the total solids of the article contained less than 5.5 percent by weight of the solids of egg or egg yolk, the minimum permitted by the definition and standard.

DISPOSITION: September 18, 1953. The shipper of the product having consented to the entry of a decree, judgment was entered and the court ordered that the product be delivered to charitable institutions.

20915. Adulteration of egg noodles. U. S. v. 18 Cases, etc. (F. D. C. No. 35069.
Sample Nos. 58544-L to 58546-L, incl.)

LIBEL FILED: June 9, 1953, Northern District of Indiana.

ALLEGED SHIPMENT: On or about April 24, 1953, by Schoneberger & Sons, from Chicago, Ill.

PRODUCT: 18 10-pound cartons and 26 cases, each case containing 12 1-pound packages, of egg noodles at Lafayette, Ind.

LABEL, IN PART: "Gold Spun Home Style Egg Noodles."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 21, 1953. Default decree of condemnation and destruction. On September 2, 1953, the court entered a supplemental decree ordering that the product be delivered to a county institution, for use as animal feed.